

ORDINANCE NO. 2009-004

MAY 07 2009

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AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, AMENDING ORDINANCE NO. 07-003, PROVIDING A REVISED SCHEDULE OF RATES, FEES, AND CHARGES FOR POTABLE WATER, WASTEWATER, AND RECLAIMED WATER SERVICES; PROVIDING FOR INCLUSION IN THE WATER UTILITIES DEPARTMENT'S UNIFORM POLICIES AND PROCEDURES MANUAL; PROVIDING FOR REPEAL OF LAWS IN CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR CAPTIONS; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Board of County Commissioners, through its Water Utilities Department, provides potable water, wastewater, and reclaimed water services to approximately 507,000 citizens of Palm Beach County; and

WHEREAS, the Water Utilities Department operates as an enterprise fund of the County and therefore must recover the costs of operation through rates, fees, and charges for services rendered; and

WHEREAS, Section 153.11, Florida Statutes, requires that such rates, fees and charges shall be so fixed and revised as to provide funds, with other funds available for such purposes, sufficient at all times to pay the cost of maintaining, repairing and operating the system or systems including the reserves for such purposes and for replacements and depreciation and necessary extensions, to pay the principal of and the interest on the water revenue bonds and/or sewer revenue bonds as the same shall become due and the reserves there for, and to provide a margin of safety for making such payments; and

WHEREAS, such rates, fees and charges shall be just and equitable and may be based or computed upon the quantity of water consumed and/or upon the number and size of sewer connections or upon the number and kind of plumbing fixtures in use in the premises connected with the sewer system or upon the number or average number of persons residing or working in or otherwise connected with such premises or upon any other factor affecting the use of the facilities furnished or upon any combination of the foregoing factors; and

WHEREAS, Water Utilities revenue bond covenants require the County to establish and maintain rates and collect such fees, rentals or other charges for services and facilities and to revise same from time to time whenever necessary, in order to meet debt service and debt service reserve requirements; and

WHEREAS, the Water Utilities Department's rate consultants have completed a review of the Department's revenue requirements and have recommended changes to the schedule of rates, fees, and charges, including connection fees, guaranteed revenue fees, and miscellaneous fees in order to meet its operating, financing, and reserve requirements; and

WHEREAS, the Water Utilities Advisory Board has approved the proposed rates, fees, and charges.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, that:

SECTION 1. AMENDMENT TO ORDINANCE NO. 07-003

Section 1 of Ordinance No. 07-003 is hereby amended as follows: The revised schedule of rates, fees, and charges shown at Exhibit "A", which is attached hereto and incorporated herein, is hereby adopted. The rates, fees, and charges set forth in Exhibit "A" shall become effective on April 1, 2009, and will appear on monthly bills rendered on and after May 1, 2009.

SECTION 2. REPEAL OF LAWS IN CONFLICT.

All local laws and ordinances in conflict with any provisions of this Ordinance are hereby repealed to the extent of such conflict.

SECTION 3. SEVERABILITY.

If any section, paragraph, sentence, clause, phrase, or word of this Ordinance is for any reason held by the Court to be unconstitutional, inoperative, or void, such holding shall not affect the remainder of this Ordinance.

SECTION 4. CAPTIONS.

The captions, section headings, and section designations used in this Ordinance are for convenience only and shall have no effect on the interpretation of the provisions of this Ordinance.

SECTION 5. EFFECTIVE DATE.

The provisions of this Ordinance shall become effective upon filing with the Department of State.

APPROVED and ADOPTED by the Board of County Commissioners of Palm Beach County, Florida, on this 17th day of March, 2009.

SHARON H. BOCK, CLERK
AND COMPTROLLER

By: Sharon Bock
Deputy Clerk

PALM BEACH COUNTY, FLORIDA, BY ITS
BOARD OF COUNTY COMMISSIONERS

By: John F. Koons
John F. Koons, Chairman

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY

By: W.W.
County Attorney

EFFECTIVE DATE: Filed with the Department of State on the 24th day of
March, 2009.

EXHIBIT "A"

GENERAL

All fees identified herein may also be subject to a Franchise Fee, with said Franchise Fee to be added to the standard fees listed.

6.1 ERC AND ERIC EQUIVALENCIES

6.1.1 ERC EQUIVALENCIES

The number of ERCs for a project is determined using the following factors:

Type of Service	ERC Equivalency Factor
Residential – per meter	
Single-Family	
5/8" X 3/4"	1.00
1"	2.90
1 1/2"	4.50
2"	9.80
Multi-Family per Dwelling Unit for All Meter Sizes	.70
Multi-Family Limited Service	.40
Unmetered Wastewater Only	By Department Analysis
Non-Residential – per meter	
5/8" X 3/4"	1.50
1"	5.80
1-1/2"	10.00
2"	16.25
3"	43.70
4"	66.80
6"	By Department Analysis
Unmetered Wastewater Only	By Department Analysis

6.1.2 ERIC EQUIVALENCIES

The number of ERICs for a project is determined using the following factors:

Type of Service	ERIC Equivalency Factor	Projected Average Usage in Gallons per Day
Residential – per meter		
5/8" X 3/4"	1.0	750
Non-Residential and/or Master Metered Projects – per meter		
5/8" X 3/4"	1.5	1,125
1"	8.0	6,000
1 1/2"	20.0	15,000
2"	43.0	32,200
3"	94.0	70,500
4"	257.0	192,600
6"	549.0	411,700
8"	976.0	732,000
10"	1,520.0	1,140,000

6.2 PLAN REVIEW AND INSPECTION FEES

6.2.1 CONSTRUCTION PLAN REVIEW FEE

Payable at the time of plan submission for potable water, reclaimed water and/or wastewater projects

- Residential - \$50.00 per dwelling unit for individual or combined service with a \$750.00 minimum.
- Non-Residential - \$50.00 per ERC based on meter size for individual or combined service with a \$750.00 minimum.

6.2.2 CONSTRUCTION INSPECTION FEE

Four percent (4%) of total estimated cost as provided by the developer and approved by the Department for all potable water, reclaimed water and/or wastewater construction improvements with a \$500.00 minimum for Residential and Non-Residential projects. The inspection fees for "Department required" oversized facilities shall be based on construction cost estimates for the "Development required" facilities, subject to minimum sizes as specified in Chapter 3 of the Uniform Policies and Procedures Manual. This fee is due prior to the pre-construction conference. If the actual construction cost values stated on the "Attachment to the Bill of Sale" exceed the Engineer's cost estimate by \$25,000 or more, then additional construction inspection fees equal to four percent (4%) of the difference between the Engineer's cost estimate and the actual construction values must be paid to the Department prior to any water meters being released.

6.3 SERVICE INITIATION FEES

Service Initiation Fees shall include all applicable Guaranteed Revenue Fees, Connection Fees, Service Installation Fees, Fireline Connection Fees and Franchise Fees.

6.3.1 GUARANTEED REVENUE FEES:

An amount equal to sixty (60) months of Guaranteed Revenue Fees is due at the time of service initiation.

Mandatory Agreement Payment per ERC (equal to 12 months):

Potable Water	\$163.44
Reclaimed Water	\$0.00
Wastewater	\$229.44
Combined Potable Water & Wastewater	\$392.88

Guaranteed Revenue Monthly Fee per ERC:

Potable Water	\$13.62
Reclaimed Water	\$0.00
Wastewater	\$19.12
Combined Potable Water & Wastewater	\$32.74

6.3.2 CONNECTION FEES:

TYPE OF SERVICE	POTABLE WATER	WASTEWATER	COMBINED POTABLE WATER & WASTEWATER	RECLAIMED WATER (1)
Residential				
Single Family				
5/8 x 3/4"	\$1,500	\$2,500	\$4,000	\$450
1"	\$4,350	\$7,250	\$11,600	N/A
1 1/2"	\$6,750	\$11,250	\$18,000	N/A
2"	\$14,700	\$24,500	\$39,200	N/A
Multi-Family				
Per dwelling unit	\$1,050	\$1,750	\$2,800	N/A
Limited service	\$600	\$1,000	\$1,600	
Non-Residential				
5/8 x 3/4"	\$2,250	\$3,750	\$6,000	\$675
1"	\$8,700	\$14,500	\$23,200	\$3,600
1 1/2"	\$15,000	\$25,000	\$40,000	\$9,000
2"	\$24,375	\$40,625	\$65,000	\$19,350
3"	\$65,550	\$109,250	\$174,800	\$42,300
4"	\$100,200	\$167,000	\$267,200	\$115,650
6"	Based on usage	Based on usage	Based on usage	\$247,050
8"	Based on usage	Based on usage	Based on usage	\$439,200
10"	Based on usage	Based on usage	Based on usage	\$684,000

(1) A 20% discount applies to these rates for lake delivery service.

6.3.3 SERVICE INSTALLATION FEES

If a Property Owner requests to have a water meter installed, and the site is not ready for meter installation, the work area will be tagged and the reason for not installing the meter shall be indicated. The Department will return a second time for installation at no charge. If the site still is not ready, a trip fee must be paid prior to each subsequent visit to the site.

Potable Water Service Installation Fees

METER SIZE	METER DROP FEE	SERVICE INSTALLATION FEE WITHOUT TAP	SERVICE INSTALLATION FEE WITH TAP
5/8" X 3/4"	\$280	\$425	\$2,200
1"	\$340	\$560	\$2,600
1 1/2"	\$670	\$1,500	\$3,200
2"	\$1,580	\$2,200	\$4,300
3"*	\$2,100	**	**
4"*	\$3,150	**	**
6"**	\$5,600	**	**

Reclaimed Water Service Installation Fees

METER SIZE	METER DROP FEE	SERVICE INSTALLATION FEE WITHOUT TAP	SERVICE INSTALLATION FEE WITH TAP
5/8" X 3/4"	\$280	\$425	\$2,200
1"	\$340	\$560	\$2,600
1 1/2"	\$670	\$1,500	\$3,200
2"	\$1,580	\$2,200	\$4,300
3"**	\$2,100	**	**
4"**	\$3,150	**	**
6"**	\$5,600	**	**

* Installation of compound meters requires an additional \$150 meter drop fee.

** All services 3" and larger are to be provided and installed by the Customer at the Customer's sole expense; however, the Department will assess a Meter Drop Fee and install the meter.

A road crossing fee of \$600 per improved travel lane will be assessed in addition to the above fees for service lines 2" and smaller.

Wastewater Service Installation Fees-At Cost

6.3.4 FIRE SPRINKLER SYSTEM CONNECTION FEES

Customer Class	Typical Backflow Prevention Assembly Size	Fire Line Connection Fee
Single Family or Duplex Residential (NFPA Type 13d)	N/A	None
Multi-Family Residential* (NFPA Type 13r)	All Sizes	\$12,400
Non-Residential** (NFPA Type 13r)	4 inches or smaller	\$23,160
Non-Residential** (NFPA Type 13r)	6 inches	\$57,000
Non-Residential** (NFPA Type 13r)	>6 inches	\$90,700

* For billing purposes, the connection fee applies for each fire line connection to PBCWUD's potable water system.

** For billing purposes, the connection fee is based on the size of the backflow prevention assembly.

6.4 ACCOUNT DEPOSITS

Potable Water Meter Size (inches)	Account Deposit for Individual or Combined Service
5/8" x 3/4"	\$110.00
1"	\$240.00
1-1/2"	\$400.00
2"	\$675.00
3"	\$1,215.00
4"	\$1,890.00
6"	\$4,050.00
8"	\$5,400.00
Wastewater Only	\$110.00
Reclaimed Water Only	\$110.00
5/8" x 3/4" Hydrant Meter	\$270.00
3" Hydrant Meter	\$1,350.00

6.5 PRETREATMENT FEES

6.5.1 INDUSTRIAL WASTEWATER DISCHARGE PERMIT FEE

Significant Industrial Users (SIU) will be billed \$300 on an annual basis for an Industrial Wastewater Discharge Permit Fee. Other Industrial Users requiring an Industrial Wastewater Discharge Permit will be billed \$300 on an annual basis.

6.5.2 OGI FEE

All facilities having an OGI will be billed \$300 per account on an annual basis.

6.5.3 MONTHLY INDUSTRIAL WASTE SURCHARGE (IWS)

An IWS shall be billed to and paid by IUs exceeding discharge standards as calculated below. The IWS shall not exceed the total charge for water and wastewater base facility fees and commodity fees for the month in which the IWS is charged.

IWS CALCULATION

IWS = $8.34(V)[\$0.45^1 (B.O.D.- 400) + \$0.18^2 (SS - 400) + \$1.46^3 (OG -100)]$
Industrial Waste Surcharge in dollars per month

8.34 = Conversion factor of 1 milligram per liter (mg/L) = 8.345 lbs/million gallons

V = Volume in million gallons per month based on metered water

B.O.D. = Biochemical Oxygen Demand - 5 days @ 20° Celsius (C), in mg/L

SS = Suspended Solids of industrial waste in mg/L

OG = Oil and Grease in mg/L

¹ = Capital and operating costs per mg/L per million gallons for B.O.D. greater than 400 mg/L

² = Capital and operating costs per mg/L per million gallons of suspended solids greater than 400 mg/L

³ = Capital and operating costs per mg/L per million gallons of oil and grease greater than 100 mg/L

6.6 MONTHLY CUSTOMER FEES

6.6.1 RESIDENTIAL

Type of Fee		Potable Water	Wastewater	Combined Potable Water & Wastewater	Reclaimed Water (3)
Monthly Customer Account Fee ¹ (Multi-Family Accounts Only)		\$ 2.50	\$ 2.50	\$ 2.50	
Monthly Base Facility Fee:					
Multi-Family (per dwelling unit)		\$7.32	\$11.03	\$18.35	
Single-Family (per meter) 5/8" X 3/4"		\$9.82	\$11.03	\$20.85	
1"		\$23.99	\$32.52	\$56.51	
1 1/2"		\$35.89	\$49.95	\$85.84	
2"		\$74.81	\$109.19	\$184.00	
Potable Water & Wastewater Commodity Fee per 1,000 gallons:					
0-4		\$ 0.98	\$ 1.34	\$ 2.32	
5-10		\$ 2.20	\$ 3.14	\$ 5.34	
11-25		\$ 5.52	\$ 0.00	\$ 5.52	
Over 25		\$ 6.85	\$ 0.00	\$ 6.85	
Monthly Fire Line Base Facility Fee per size of backflow device:					
2"		\$10.92			
3"		\$20.56			
4"		\$34.26			
6"		\$68.54			
8" and above		\$109.66			
Monthly Reclaimed Water Base Facility Fee:					
5/8" x 3/4" for Customers who have paid Reclaimed Water Connection Fees					\$2.36
5/8" x 3/4" for Customers who have not paid Reclaimed Water Connection Fees					\$4.80
Commodity Fee per 1,000 gallons					\$0.20
Monthly Un-metered Wastewater Fee assessed per ERC ²			\$21.31		

1 Potable Water or Wastewater Customers will not be assessed with additional Customer Account Fees for the addition of Reclaimed Water Service.

2 Includes monthly Base Facility, Customer Account Fee, and Commodity Fees.

3 A 20% discount applies to these rates for lake delivery service.

6.6.2 NON-RESIDENTIAL

Type of Service	Potable Water	Wastewater	Combined Potable Water & Wastewater	Reclaimed Water
Monthly Base Facility Fee:				
5/8" x 3/4"	\$18.47	\$23.23	\$41.70	
1"	\$62.90	\$88.86	\$151.76	
1-1/2"	\$100.07	\$145.20	\$245.27	
2"	\$169.77	\$260.20	\$429.97	
3"	\$449.71	\$667.92	\$1,117.63	
4"	\$693.65	\$1,022.20	\$1,715.85	
6" and larger based upon projected water usage				
Potable Water and Wastewater Commodity Fee per 1,000 gallons based on meter size:				
5/8" x 3/4"				
0-14,000 gallons	\$1.16	\$1.56	\$2.72	
Over 14,000 gallons	\$3.14	\$1.56	\$4.70	
1"				
0-57,000 gallons	\$1.16	\$1.56	\$2.72	
Over 57,000 gallons	\$3.14	\$1.56	\$4.70	
1-1/2"				
0-94,000 gallons	\$1.16	\$1.56	\$2.72	
Over 94,000 gallons	\$3.14	\$1.56	\$4.70	
2"				
0-138,000 gallons	\$1.16	\$1.56	\$2.72	
Over 138,000 gallons	\$3.14	\$1.56	\$4.70	
3"				
0-557,000 gallons	\$1.16	\$1.56	\$2.72	
Over 557,000 gallons	\$3.14	\$1.56	\$4.70	
4"				
0-675,000 gallons	\$1.16	\$1.56	\$2.72	
Over 675,000 gallons	\$3.14	\$1.56	\$4.70	
6" and above				
All usage	\$1.16	\$1.56	\$2.72	
Monthly Fire Line Base Facility Fee per size of backflow device:				
2"	\$10.92			
3"	\$20.56			
4"	\$34.26			
6"	\$68.54			
8" and above	\$109.66			

NON-RESIDENTIAL (Continued):

Type of Service		Wastewater		Reclaimed Water (3)
Monthly Reclaimed Water Base Facility Fee - Customers who have not paid Reclaimed Water Connection Fees:				
5/8" x 3/4"				\$7.20
1"				\$38.40
1 1/2"				\$ 96.00
2"				\$206.40
3"				\$451.20
4"				\$1,233.60
6"				\$2,635.20
8"				\$ 4,684.80
10"				\$ 7,296.00
Monthly Reclaimed Water Base Facility Fee - Customers who have paid Reclaimed Water Connection Fees:				
5/8" x 3/4"				\$ 3.54
1"				\$18.88
1 1/2"				\$ 47.20
2"				\$101.48
3"				\$221.84
4"				\$606.52
6"				\$1,295.64
8"				\$2,303.36
10"				\$3,587.20
Commodity Fee Per 1,000 gallons				\$ 0.20
Monthly Un-metered Wastewater Fee assessed per ERC ²		\$21.31		

- 1 Potable Water or Wastewater Customers will not be assessed with additional Customer Account Fees for the addition of Reclaimed Water service.
- 2 Includes monthly Base Facility, Customer Account Fee and Commodity Fees.
- 3 A 20% discount applies to these rates for lake delivery service.

6.6.3 VILLAGE OF ROYAL PALM BEACH FEES:

Type of Fee	Potable Water	Wastewater	Combined Potable Water & Wastewater
Monthly Customer Account Fee	\$ 0.00	\$ 0.00	\$ 0.00
Monthly Base Facility Fee			
Residential:			
Single Family (per meter)	\$ 13.25	\$ 15.71	\$ 28.96
Multi-Family (per unit)	\$ 9.91	\$ 11.81	\$ 21.72
Commercial:			
5/8" x 3/4"	\$ 17.31	\$ 20.70	\$ 38.01
1"	\$ 62.31	\$ 74.40	\$ 136.71
1-1/2"	\$ 99.33	\$ 118.69	\$ 218.02
2"	\$225.24	\$269.49	\$ 494.73
3"	\$795.01	\$950.76	\$ 1,745.77
4"	\$1,242.52	\$1,469.84	\$ 2,712.36
Fire Lines:			
4"	\$22.00		
6"	\$37.00		
8"	\$56.00		
10"	\$87.00		
Potable Water & Wastewater Commodity Fee per 1,000 gallons:	\$ 1.96	\$ 1.73	\$ 3.69
Conservation Charge: 150% of the gallonage rate per 1,000 gallons of usage for all gallons of usage in excess of the authorized number of gallons per month			
Customer Class-Authorized Gallons per Month:			
Single Family (per meter)	15,000 gal.		
Multi-Family (per unit)	11,250 gal.		
Commercial (by meter size):			
5/8" or 3/4"	18,000 gal.		
1"	69,000 gal.		
1 1/2"	100,000 gal.		
2"	255,000 gal.		
3"	765,000 gal.		
4"	1,410,000 gal.		

6.6.4 OVERSIZE CREDIT/REIMBURSEMENT RATES

The maximum allowable credit/reimbursement provided by the Department is the difference between the Department required oversized pipe and the pipe size required by the Property Owner (or minimum pipe sizes identified in Section 3.3.2), if applicable multiplied by the factors listed below:

Oversized Potable and Reclaimed Water Mains

12" and smaller:	\$3.50 per inch diameter per linear foot.
24":	\$4.50 per inch diameter per linear foot.
30":	\$5.00 per inch diameter per linear foot.
36" and larger:	\$5.50 per inch diameter per linear foot.

Oversized Wastewater Mains

12" and smaller:	\$4.00 per inch diameter per linear foot.
18":	\$5.25 per inch diameter per linear foot.
20":	\$5.50 per inch diameter per linear foot.
24":	\$6.00 per inch diameter per linear foot.
30":	\$6.25 per inch diameter per linear foot.
36" and larger:	\$6.50 per inch diameter per linear foot.

6.7 MISCELLANEOUS FEES

FEE	AMOUNT
Account Activation (New Account)	\$35.00
Account Reactivation	\$35.00
Delinquent Account Reactivation Calls received between 7:00 a.m. and 6:00 p.m. Monday through Friday excluding County holidays for same-day service	\$35.00
Calls received outside above hours for same-day service	\$60.00
Account Deactivation Calls received between 7:00 a.m. and 6:00 p.m. Monday through Friday excluding County holidays for same-day service	No Charge
Calls received outside above hours for same-day service	\$60.00
Meter Re-read at Customer Request (Correct Original Reading)	\$35.00
Meter Re-read at Customer request (Incorrect Original Reading)	No Charge
Meter Calibration (Flow Test) 5/8' X 3/4' meter ¹	\$70.00
1" meter ¹	\$100.00
1 1/2" meter ¹	\$150.00
2' meter or larger ¹	At Cost
Relocation of Meter Box and/or Accessories at Customer request	At Cost
Dishonored Check	\$25 or 5% of the face amount of the check, whichever is larger, not to exceed \$200, or the actual cost of collection incurred by the Department, whichever is greater.
Past Due Fee	0.5% of the past due balance if such amount is greater than \$5.00 plus an administrative and general fee of \$5.00.
Downsizing of the Meter 1" downsized to 5/8' x 3/4" ²	\$250.00
All others ²	At Cost
Upsizing of the Meter	Current Service Initiation Fees for the upsized meter, less a credit for connection fees and guaranteed revenue fees for the original meter.
Meter Replacement	Meter Drop Fee
Administrative Hearing Fee (Refunded if Customer is granted any additional relief)	\$35.00
Accidental Damage to Department Property	At Cost
Initial Backflow Certification	\$40.00
Trip Fee	\$35.00
Unauthorized Connection or Use	Subject to civil proceedings and fines in accordance with Section 812.14, Florida Statutes, or as otherwise provided by law.

No charge if meter found to be inaccurate

² The Account Deposit difference will be credited to the Customer's account. Service Initiation Fees paid for the larger meter will not be refunded.

STATE OF FLORIDA, COUNTY OF PALM BEACH
I, SHARON R. BOCK, Clerk & Comptroller of the County of
this to be a true and correct copy of the original, filed in my office on MAR 17 2009 at 1917 2009
dated at West Palm Beach, FL on 1917 2009
By: Sharon R. Bock Deputy Clerk